


JAN 18 2012

ATTACHMENT A-STATEMENT OF FACTS

AT GREENBELT
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

BY  DEPUTY

The undersigned parties hereby stipulate and agree that if this case had proceeded to trial, government would have proven the following facts beyond a reasonable doubt. The undersigned parties also stipulate and agree that the following facts do not encompass all of the evidence that would have been presented had this matter proceeded to trial.

At all times relevant to this case, defendant **NESTOR GUALTEROS** was a resident of Silver Spring, Maryland.

On April 15, 2009, while at his place of employment in Herndon, Virginia, **GUALTEROS** distributed 36 images of child pornography to a website on the social network site ning.com. The following are three of the images distributed by **GUALTEROS**:

*3144431_Photo_183.jpg: depicts a pre-pubescent male performing oral sex on a pre-pubescent male.

*3144431_Photo_181.jpg: depicts two pre-pubescent males engaging in anal sex.

*3144431_Photo_106.jpg: depicts a nude adult male sitting on top of the chest of a nude male toddler. The adult male's penis is in physical contact with the penis of the toddler.

GUALTEROS, was a member of 15 sites on the GROU.PS social networking site under investigation by law enforcement for the trafficking of child pornography. **GUALTEROS** distributed 912 images to those groups as follows:

Number of image files	Group
64	amigasos
12	cockboys
37	koltayon
47	lilnet
7	postwhateverrrr
8	socialemogay
79	speedoboy
112	zack123456
13	anything
54	goodfun
76	lil2

241	liltruck
17	shadowbl
80	speedoboxerboys
65	tinyboys

The following is an example of an image posted by **GUALTEROS** on July 5, 2009:

*20090705083738-cnmbioivyimqmhqcji.jpg: depicts an adult male having sex with a pre-pubescent boy.

The following is an example of an image posted by **GUALTEROS** on September 11, 2009:

*20090911143221-cnmbioivyimqmhqcji.jpg: depicts an adult male having anal sex with a pre-pubescent boy.

The following is an example of an image posted by **GUALTEROS** on September 21, 2009:

*20090921164552-cnmbioivyimqmhqcji.jpg: depicts a pre-pubescent boy simultaneously performing oral sex on an pre-pubescent boy and masturbating the penis of an adult male.

On August 3, 2010, **GUALTEROS** was interviewed by law enforcement and confessed to distributing and receiving child pornography from his desktop computer at his place of employment in Herndon, Virginia. **GUALTEROS** also advised that he downloaded child pornography onto two flash drives that he kept hidden underneath his desk drawer at his place of employment. In December of 2009, **GUALTEROS** transported his work computer from his place of employment in Virginia, to his residence in Silver Spring, Maryland where he continued to view child pornography.

GUALTEROS provided consent for law enforcement to conduct a forensic examination on his home computer. A forensic examination revealed over 1,400 thumbnails, or previewed images, of child pornography. A search warrant was obtained to seize and search the digital media belonging to **GUALTEROS**. One flash drive contained over 11,000 images and seven videos of child pornography. One other flash drive contained over 12,000 images of child pornography. **GUALTEROS'** place of employment in Virginia consented to a forensic review of his work computer. A forensic exam of the work computer revealed over 800 images and 3 videos of child pornography. The following are examples of three videos located on the digital media searched:

*12kids.mpg: depicts two naked pubescent males engaging in sexual activity both with one another and upon themselves to include oral sex, anal sex, masturbation, and the fondling of genitals.

*dear cousin bill.MPG: depicts two pubescent males who begin masturbating themselves

then engage in anal and oral sex.

*Roland.mpg: depicts one pubescent male masturbating. An adult male then enters the video and has the boy perform oral sex on him before engaging in anal sex.

The images and videos depict real children engaged in sexually explicit conduct. The images downloaded onto the defendant's computer were transported through the Internet and therefore traveled in interstate commerce.

* * *

I have read this statement of facts, and carefully reviewed it with my attorney. I acknowledge that it is true and correct.

12/1/11
Date

Nestor Gualteros
Nestor Gualteros